Unknown

From: marty rutherford [marty_rutherford@dnr.state.ak.us]
Sent: Thursday, January 18, 2007 4:44 PM
To: govpalin@yahoo.com; Tibbles; Michael A (GOV)
Cc: Balash; Joseph R (GOV)
Subject: [Fwd: Fwd: BP Pipeline Corrosion]

Governor,

During your meeting with Drue Pearce, following the discussion with Admiral Thomas Barrett, she mentioned a federal grand jury probe of the BP pipeline corrosion matter and assumed you had been briefed on the matter. All members of your administration noted we were unaware of this probe and you requested I investigate and advise you and Commissioner Hartig, DEC, of what I found.

I did follow-up with the Dept of Law (DOL) and met significant unease with my inquiry. I finally discerned that, while DOL may have heard something about the issue, and there are reports related to requests for documents that strongly suggest that such an inquiry is occurring., they have no real knowledge nor any official confirmation of that fact.

I did learn that a state Environmental Prosecutor in the Criminal Division's Office of Special Prosecutions and Appeals has been cross designated as a Special Assistant U.S. Attorney to assist with an investigation of the BP pipeline corrosion matter, and he is doing so. However, I was advised that federal law precludes him from discussing this investigation with anybody, including his superiors, your Commissioners and yourself.

I requested that this information be provided to me in an e-mail so I could convey it to your office.
That e-mail follows. If you would like me to pursue this further, please advise.
Marty R

-------- Original Message --------

Subject: BP Pipeline Corrosion

Date: Thu, 18 Jan 2007 08:37:05 -0900

From: Craig Tillery <craig_tillery@law.state.ak.us>

To: Marty Rutherford <marty_rutherford@dnr.state.ak.us>

As requested.

Craig J. Tillery

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>>> Craig Tillery 1/12/2007 5:41 PM >>>

You stated that you were requested to pull together a briefing for the Governor and other high level state officials regarding any federal grand jury probe of the BP pipeline corrosion matter and you asked if I could assist in assembling that information. I have spoken to both the civil and criminal attorneys in the Department of Law who are involved in the corrosion matter and can tell you the following. First, the existence of a federal grand jury review of the BP pipeline corrosion problem is widely rumored and there are reports in the public domain, particularly related to requests for documents, that strongly suggest that this is occurring. However, I am not aware of any official confirmation of that fact and no information specifically regarding a grand jury review has been provided to the Civil Division of this Department or generally to the Criminal Division. I can tell you that

the Environmental Prosecutor in the Criminal Division's Office of Special Prosecutions and Appeals has been cross designated as a Special Assistant U.S. Attorney to assist with an investigation of the BP pipeline corrosion matter and he is doing so. However, Federal Rule of Criminal Procedure 6(e) specifically precludes him from discussing this investigation with anybody, including myself, his superiors and those individuals you described. In light of this, we are unable to provide you with the information you requested. Please contact me if you would like to discuss this further.

The Attorney General requested that I respond on this matter.

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